
 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 9.12	Effective Date 9/17/2020	Page 1 of 3
	Supersedes 9/30/2011		
Approved By  Interim Commissioner Angel Quiros	Title Driving Under the Influence Home Confinement Program		

1. Policy. The Department of Correction may supervise offenders convicted of specific charges related to driving under the influence (DUI) or driving under suspension in a home residence. Such offenders shall be fully assessed for appropriate substance abuse treatment. Offenders shall participate in treatment as part of the Home Confinement Program. The Addiction Services Unit and The Division of Parole and Community Services shall work collaboratively to ensure that offenders who are eligible and suitable for the DUI Home Confinement Program receive both treatment and intense supervision.

2. Authority and References.

- a. Connecticut General Statutes, Sections 14-215, 14-227a, 14-227m, 21a-267, 21a-279, 18-100h, 18-78a, and 18-81.
- b. Public Act 11-51, Section 26
- c. 23 U.S.C. Section 164

3. Definitions.

- a. DUI - Driving Under the Influence
- b. GPS - Global Positioning System

4. General Provisions:

- a. An offender sentenced to a period of incarceration in accordance with Connecticut General Statutes, Section 14-215, 14-227a, 14-227m, 21a-267 or 21a-279 may be eligible for the Home Confinement Program. This includes mandatory sentences.
- b. Offenders cannot be serving a sentence for any other offenses other than the above mentioned in order to be eligible for the Home Confinement Program.
- c. Offenders may initially be sentenced for one of the eligible offenses and another non-eligible offense(s). Those offenders would become eligible for the DUI Home Confinement Program once they had completed the sentence for the non-eligible offense.

5. Assessment.

- a. Upon admission to a facility, offenders shall be assessed by the Addiction Services Unit staff in order to determine if they meet the criteria for the Home Confinement Program.
- b. No offender shall be classified to Home Confinement until fully assessed in accordance with guidelines issued by Connecticut State Statute and the Director of Programs and Treatment or designee.
- c. Although some offenders may be assessed as eligible for the DUI Home Confinement Program, they may be considered not suitable for early release on the program.

6. Eligibility Criteria. An offender may be eligible for transfer to a DUI Home Confinement when the following criteria are met;

- a. Be classified below risk level 5,
- b. If serving a Parole eligible sentence (greater than two (2) years, one (1) day) must first have a Parole hearing with the Board of Pardons and Paroles before consideration for DUI Home Confinement,
- c. If denied Parole, must be within six (6) months to End of Sentence to be considered for DUI Home Confinement release,

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- d. Remain discipline free of a Class A offense during the preceding 120 days,
- e. Remain discipline free of a Class B offense during the preceding 60 days,
- f. Have no return from escape, to include absconding from parole, within the past 120 days (may be waived at the discretion of the Unit Administrator),
- g. Remain free of Community Release program failure during the preceding 120 days,
- h. Have no pending charges or detainer,
- i. Must not be a designated Security Risk Group member or on any restrictive status,
- j. Must submit to felony DNA requirements, if applicable, and
- k. Offenders being held on Special Parole and also serving a DUI Home Confinement eligible sentence, will be reviewed on a case by case basis to determine eligibility for release.

7. Treatment.

- a. All offenders assessed as eligible and suitable for the DUI Home Confinement Program shall participate in evidenced-based substance abuse treatment specific to DUI offenders.
- b. Curriculum shall be approved by the Deputy Warden of the Addiction Services Unit or designee.
- c. Level of care shall be determined by the Addiction Services Unit treatment staff.
- d. Offenders shall not be eligible for early release until they complete the recommended treatment program. Eligible DUI Home Confinement offenders that refuse the recommended treatment forfeit early release on Home Confinement.
- e. Offenders deemed suitable but not eligible may still participate in treatment.
- f. Once an offender has been released to the Division of Parole and Community Services on Home Confinement, they shall be required to continue with substance abuse treatment as one of the conditions of their release. The offender shall be assessed by the appropriate community partner to determine level of care.

8. Supervision.

- a. An offender shall be supervised by The Division of Parole and Community Services Unit while on Home Confinement status. All Home Confinement offenders shall initially be supervised at an intensive level of supervision. All Home Confinement offenders shall be subject to electronic monitoring, which may include the use of GPS. Conditions shall be put in place by the offender's Parole Officer to restrict the offender's movements in the community.
- b. Conditions of release are subject to modification as the offender progresses during supervision.
- c. An offender who violates the conditions of the program may have their release revoked and may be confined to a correctional facility.

9. Zero Tolerance.

- a. The DUI Home Confinement Program is a zero tolerance program. Any offender found to be using alcohol and/or drugs while on Home Confinement may have their release authorization revoked and be returned to a correctional facility. The Division of Parole and Community Services shall monitor each offender for substance use by utilizing a variety of toxicology screens. These may include, but are not limited to; breathalyzers, urinalysis and mouth swabs.

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- b. Refusal to submit to any toxicology screen may be considered a violation of release conditions and the offender may be returned to the correctional facility.

10. Violations.

- a. If an offender has been violated by The Division of Parole and Community Services and returned to a facility based upon section 9 of this directive, they will not be eligible to be re-released on DUI Home Confinement Program or any other early release program regardless of the amount of time left on their sentence. Additional treatment may be offered at this time by the Addiction Services Unit.
- b. Offenders who violate DUI Home Confinement based upon criminal violations or violations other than those outlined in section 9 of this Directive, may be reviewed for discretionary release in accordance with eligibility requirements.

11. Program Evaluation.

- a. At the direction of the Commissioner, the Addiction Services Unit and The Division of Parole and Community Services shall keep and report on specific data related to the DUI Home Confinement Program. This data may include, but is not limited to the number of offenders referred to the Home Confinement program, the number deemed eligible and suitable, the number released to The Division of Parole and Community Services, the number violating and being re-incarcerated, the number successfully completing the program and the number being re-incarcerated for a DUI or DUI-related offense. Data shall be reviewed on an ongoing basis to develop and revise program protocol as needed.

- 12. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner or designee.